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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

ROMA LEIGHANN BOWLING

PLAINTIFF

V.

CIVIL ACTION NO. 3:17-CV-217-DAS

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER AWARDING ATTORNEY FEES

Before the court is the claimant's motion for payment of attorney fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. In these proceedings, the claimant sought judicial review of the final decision of the Commissioner of Social Security, denying a claim for benefits. The court remanded this case to the Commissioner for further proceedings. The claimant now seeks attorney fees under the EAJA as the prevailing party, asserting the Commissioner's position was not Asubstantially justified.@ By the motion, the claimant requests an award of \$ 5,512.39 in attorney fees, representing 28.9 hours at an hourly rate of \$ 189.00, plus \$ 50.29 in mileage expense.

The government interposes no objection to the amount or reasonableness of the attorney fees. In accordance with the dictate of *Astrue v. Ratliff*, 560 U.S. 586 (2010) and the Anti-Assignment Act, 31 U.S.C. § 3727, the fees shall be payable to the plaintiff, but mailed to her counsel.

The court, having considered the foregoing and the record of this case, finds the claim for attorney's fees is reasonable and appropriate.

IT IS ORDERED that the claimant's motion for payment of attorney fees under the EAJA is granted and the defendant is hereby directed to pay \$ 5,512.39 for attorney's fees and \$ 50.29

for mileage expense. While the funds must be made payable to the claimant, the payment shall be sent to the attorney's address.

SO ORDERED this the 14th day of May, 2019.

s/ David A. Sanders
UNITED STATES MAGISTRATE JUDGE